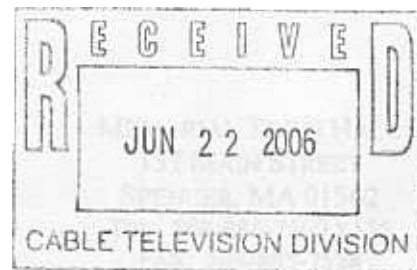




COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1063



SENATOR STEPHEN M. BREWER

WORCESTER, HAMPDEN,
HAMPSHIRE AND FRANKLIN
DISTRICT
ROOM 109B

TEL. (617) 722-1540
FAX (617) 722-1078

Stephen.Brewer@massmail.state.ma.us

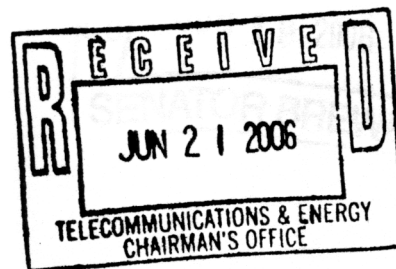
COMMITTEES:

BILLS IN THIRD READING, (CHAIR)
VETERANS AND FEDERAL AFFAIRS, (CHAIR)
PUBLIC SAFETY AND HOMELAND SECURITY, (VICE-CHAIR)

WAYS AND MEANS
ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE

June 20, 2006

Judith F. Judson, Chair
Department of Telecommunications and Energy
One South Station
Boston, MA 02111



Dear Chairwoman Judson:

We are writing on behalf of the Town of Spencer (Carter Terenzini, Town Administrator, 157 Main Street, Spencer, MA 01562; Telephone: 508-885-7500), relative to its objections to a rulemaking petition filed with the Cable Division of the Massachusetts Department of Telecommunications and Energy (DTE) by Verizon Communications on March 16, 2006.

It is our understanding that Verizon is proposing a rule change to require a municipality to hold a public hearing on an initial cable television license application within sixty days of the application filing, but would only require thirty days from the time of the hearing for the municipality to approve or disapprove said application, as well as issue the actual license. It is our further understanding that the Town of Spencer feels that shortening the approval and issuance window to a mere thirty days is unreasonable and asks that the petition be rejected. We concur with the Town's opinion and support their request that you reject this petition in its current form. We would also ask that you respond directly to the Town, and it would be appreciated if you would keep us apprised of the situation as well.

Thank you for your consideration of this matter.

Sincerely,

STEPHEN M. BREWER
State Senator

ANNE M. GOBI
State Representative

SMB/ep
Enclosure

TOWN OF SPENCER
MASSACHUSETTS
BOARD OF SELECTMEN

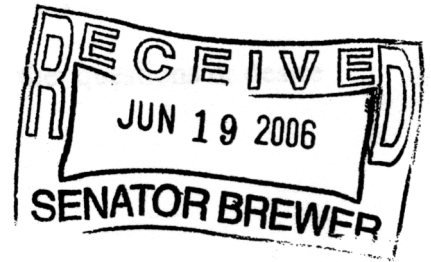
VINCENT P. CLOUTIER
JOHN T. GAGNON
PETER J. DURANT
PETER J. ADAMS
GARY P. HERL



MEMORIAL TOWN HALL
157 MAIN STREET
SPENCER, MA 01562
TEL: 508-885-7500 x155
FAX: 508-885-7528
TTY: 508-885-7503
www.spencerma.gov

June 15, 2006

Andrea Nixon
Clerk, Cable Television Division
Department of Telecommunications and Energy
One South Station
Boston, MA 02111



Dear Ms. Nixon:

The town of Spencer would like to register its strong opposition to Verizon's March 16, 2006, rulemaking petition filed with the Cable Division of the Department of Telecommunications and Energy. Verizon's petition proposes extremely unreasonable new rules for initial cable licensing.

The proposed rules would require a municipality to hold a public hearing on an initial cable television license application within 60 days of the application filing, and would require only 30 days from the time of the public hearing for the municipality to approve or disapprove the application, and issue the actual license in case of approval.

As most local officials will tell you, it is impossible to conclude a proper initial license application review, negotiation, license drafting, and issuance within 30 days of the public hearing. Such an initial licensing time frame would be untenable in the best of circumstances, and is particularly untenable now in light of the many questions of first impression and complex issues raised by the non-standard terms and conditions commonly reported to be included in Verizon-proposed cable licenses.

As you know from RCN's initial licensing experience, cable operators willing to negotiate customary and standard cable licenses enjoy reasonable and fast municipal licensing. The existing license timetables have worked well for decades. They should not be changed at the behest of a single proponent. Note that Congress contemplated and provided for a three-year renewal process when it more comprehensively and carefully set forth cable licensing rules in the 1984 Cable Act. This framework worked well for decades and there is no rational basis for casting aside the time tested licensing rules and replacing them with radically abbreviated rules.

June 15, 2006

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Municipal officials who are responsible for implementing licensing and who are accountable to the public are in opposition to these proposed rules. Municipal officials are concerned that under the proposed rules, our community and cities and towns across the state will be boxed into an untenable 30 day post-hearing licensing process, and will lose the ability to properly review and negotiate Verizon cable proposals. This is not even close to what is reasonably needed for a fair and reasonable licensing process. The Massachusetts Cable Division should reject the Verizon petition and allow local officials to continue serving their constituents as they have been doing for decades.

Thank you for your attention to this matter. If you have any further questions or desire further comment, please do not hesitate to contact us.

Sincerely,

 ks

Carter Terenzini
Town Administrator
Town of Spencer

cc: BoS
Delegation
Cable Advisory Committee